

FILED

July 25, 2025

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

BY: NM
DEPUTY

MATTHEW ANDREW GARCES,

Plaintiff,

V.

FRED BIERY *et al.*,

Defendants.

CIVIL NO. SA-25-CV-609-OLG

ORDER

Pending before the Court are two duplicative motions (the “Motions”) (Dkt. Nos. 32; 34) filed by Plaintiff, each of which request the recusal of U.S. Magistrate Judge Elizabeth S. Chestney. *See* Dkt. Nos. 32; 34. But Judge Chestney issued a Report and Recommendation and, thereafter, returned this case to the undersigned. *See* Dkt. Nos. 27; 29. Thus, Plaintiff’s requests are moot. Even if the Motions were ripe for decision, Plaintiff fails to assert any meritorious basis for recusal. All of Plaintiff’s complaints have been well-ventilated and soundly rejected by Judge Chestney and the Fifth Circuit. *See* Dkt. Nos. 24; 36. Finding no basis for recusal, the Motions (Dkt. Nos. 32; 34) are hereby **DENIED**.

IT IS SO ORDERED.

SIGNED this 25th day of July, 2025.

John I. F.

ORLANDO L. GARCIA
United States District Judge